

1. Planning Commission Meeting Materials

Documents:

[27 JULY 2017 PACKET.PDF](#)
[27 JULY 2017 AGENDA.PDF](#)

2. Meeting Audio & Video

- [MEETING AUDIO](#)
- [MEETING VIDEO](#)

**KAYSVILLE CITY PLANNING COMMISSION
NOTICE AND AGENDA**

Notice is hereby given that the Kaysville City Planning Commission will hold their regular meeting on Thursday, July 27, 2017 at 7:00 p.m. in the Municipal Center.

The agenda shall be as follows:

1. Opening and approval of minutes from the meeting of July 13, 2017.
2. Conditional use permit for a major home occupation "B", preschool at 1007 East Manchester Road – Tara Zaugg.
3. Conditional use permit for farm animals at 601 East 250 North – Timothy Thomas.
4. Conditional use permit for farm animals at 2008 West Bonneville Lane – Milissa Ramirez.
5. Discussion of potential process changes regarding Farm Animals, Major Home Occupations, Lot Line Adjustments, Lot Consolidations, and Subdivisions.
6. Call to the public.
7. Other matters that properly come before the Planning Commission:
 - a. Reports.
 - b. Correspondence.
 - c. Calendar.
8. Adjournment.

I hereby certify that I posted a copy of the foregoing Notice and Agenda at the Kaysville Municipal Center and mailed copies to the media representatives on Friday, July 21, 2017.



Lyle Gibson
Zoning Administrator



Planning Commission Staff Report

Conditional Use Permit for Major Home Occupation 'B' Preschool July 27, 2017

Applicant/Owner: Tara Zaugg
Location: 1007 East Manchester Road
Zone: R-1-8

Description:

Ms. Zaugg is requesting a conditional use permit for a major home occupation 'B' to run a preschool from her home. She is starting with one class a day for 3 year and 4 year olds.

A preschool operates as a type of organized class, and per 17-26-4 (12) requires that a limit be placed on the number of students and/or the number of vehicles transporting students in order to prevent congestion.

Recommendation:

Staff is recommending approval of the proposed conditional use permit for a major home occupation 'B' subject to compliance with Title 17-26-4 of the Kaysville City Ordinance and the following condition:

- The number of students be limited to 12 per class.

Reasoning:

The existing conditions on site, the proposed condition, and the restrictions of the ordinance appear to be appropriate for mitigating potentially anticipated detrimental impacts.

Attachment 1: Area Map

1007 East Manchester Road





Planning Commission Staff Report

Conditional Use Permit for Farm Animals July 27, 2017

Applicant/Owner: Timothy Thomas
Location: 601 East 250 North
Zone: R-1-8

Description:

The applicant is requesting a conditional use permit for farm animals, specifically for keeping chickens. Their property is 0.28 acres or 12,000 square feet, allowing up to seven (7) fowl, rabbits, or similar animals.

The rear yard of the property is fenced in. As of the date of this report staff is still working to coordinate a site visit before the Planning Commission Review.

Recommendation:

Staff is recommending approval of the proposed conditional use permit for farm animals subject to compliance with the provisions of Chapter 17-24 Farm Animals and the following condition:

- A coop be in place on the property for the chickens.

Reasoning:

The restrictions of the ordinance appear, the known site conditions, and the proposed condition appear to be appropriate for mitigating potentially anticipated detrimental impacts.

Attachment 1: Area Map

601 East 250 North





Planning Commission Staff Report

Conditional Use Permit for Farm Animals July 27, 2017

Applicant/Owner: Milissa Ramirez
Location: 2008 West Bonneville Lane
Zone: R-1-20

Description:

The applicant is requesting a conditional use permit for farm animals, specifically for keeping chickens. Their property is 0.46 acres or 20,000 square feet, allowing up to twenty five (25) fowl, rabbits, or similar animals.

This applicant has had the chickens on site for almost a year but didn't know that having a conditional use permit was required. Upon finding out a permit was needed the applicant has submitted for a conditional use permit. This is not in response to a complaint.

The applicant has a coop on site and is in the works of having the entire rear yard enclosed with a fence.

Recommendation:

Staff is recommending approval of the proposed conditional use permit for farm animals subject to compliance with the provisions of Chapter 17-24 Farm Animals.

Reasoning:

The existing on-site conditions and the restrictions of the ordinance appear to be appropriate for mitigating potentially anticipated detrimental impacts.

Attachment 1: Area Map

2008 West Bonneville Lane



KAYSVILLE CITY PLANNING COMMISSION

July 13, 2017

Members Attending: Chairperson Matthew Anderson, Gary Bullock, Stroh DeCaire, Lorene Kamalu, Betty Parker, Joshua Sundloff

Excused: Thomas Wood

Staff Present: City Engineer Andy Thompson, Zoning Administrator Lyle Gibson, Secretary Annemarie Plaizier

Others Present: Council Member Larry Page, Kelle Pace, Carma Rushton, Mark M. Rushton, Chase Freebairn, Allen Anderson, Kim Johnson, Perry Oaks, Marci Oaks, Jared Olson, Heather Olson, Dwight Bird, Lorri Bird, Marie Barber, Mark Barber, Aaron Johnson, Paul Hansen, Kim Hansen, Allison Hansen, Linda Gee, Jonathan Tibbets, Mary Tibbets, Dearwyn Woodbury, Don Woodbury, Vicki Pasqua, Dino Pasqua, Steven Allred, Gary Wilde, Sherri Wilde, Lisa Purdie, Greg Hill, Matthew Redd, Sarah Redd, David Johnson, Paul Anderson, Aaron Johnson, Robin Tolman, Aaron Hixson, Scott Hansen, Jen Beard, Dave Whitaker

OPENING

The Planning Commission meeting was held on Thursday, July 13, 2016 at 7:00 p.m. in the Municipal Center.

Chairperson Matthew Anderson opened the meeting by welcoming those present. The minutes of the May 25, 2017, June 8, 2017 and June 22, 2017 meetings were presented for approval.

Stroh DeCaire made a motion to approve the minutes of the May 25, 2017, June 8, 2017 and June 22, 2017 meetings. Betty Parker seconded the motion and it passed unanimously.

Lorene Kamalu said that she wanted to clarify a comment she had made on page 14 of the May 25, 2017 minutes. Ms. Kamalu said that she frequents the rail trail often and has seen a change in the upkeep in the property since Mr. Puffer had moved to the property and agreed with the comments residents had mentioned about the look of the property.

CONDITIONAL USE PERMIT FOR FARM ANIMALS AT 158 NORTH 400 EAST – TERRESA SLADE

Lyle Gibson explained that Ms. Slade is requesting a conditional use permit to keep chickens on her property at 158 North 400 East. The property is 0.52 acres which would allow her to keep up to fifty-two fowl, rabbits or similar animals, however she only anticipates having about six hens. There is already a temporary coop on site with one hen. Staff met with Ms. Slade on the property and learned of her plans to place a permanent coop with a few more hens. Currently the rear yard is entirely enclosed by a fence.

Josh Sundloff asked about how the number of animals allowed on each property is determined.

Lyle Gibson responded that depending on the type of animals requested and the size of the lot, there is a specific amount of square footage required for each animal.

Gary Bullock made a motion to grant a conditional use permit for farm animals at 158 North 400 East for Terresa Slade. Stroh DeCaire seconded the motion and it passed unanimously.

CONDITIONAL USE PERMIT FOR FARM ANIMALS AT 638 SOUTH WELLINGTON DRIVE – KIMBERLY JOHNSON

Lyle Gibson explained that the Johnson's live at 638 South Wellington Drive and are requesting a conditional use permit to keep two horses on their property. Their lot is 0.52 acres which allows the Johnson's to keep up to two horses, cattle, or similar animals. The yard is enclosed by a six foot vinyl fence, and the Johnson's plan to install a second fence to divide their yard and create a corral for the horses. Ultimately they hope to build a lean-to or small building for the horses as well.

Betty Parker asked if a lean-to should be required.

Lyle Gibson said that unlike other farm animals, horses don't necessarily need any housing structure. The Johnson's have owned horses in the past and are familiar with the needs of their animals. There is plenty of space where the horses will be corralled away from neighboring homes.

Stroh DeCaire made a motion to grant a conditional use permit for farm animals at 638 South Wellington Drive for Kimberly Johnson. Lorene Kamalu seconded the motion and it passed unanimously.

PUBLIC HEARING AND REQUEST TO REZONE 2.97 ACRES OF PROPERTY AT APPROXIMATELY 65 SOUTH ANGEL STREET FROM R-A (RESIDENTIAL AGRICULTURE) TO R-1-14 (SINGLE FAMILY RESIDENTIAL) – IVORY HOMES

Lyle Gibson explained that Ivory Homes has been working with the property owner to develop this property located at approximately 65 South Angel Street. They are submitting a rezone request in order to subdivide the land into seven separate lots on a cul-de-sac. The surrounding zoning is R-A with R-1-20 across the street to the east. Angel Street is classified as a collector street in Kaysville City's Major Street Plan. Lots in the R-1-14 zoning district must be at least 14,000 square feet, with a minimum of ninety feet lot width. The lots shown on the plat are similar in size to what is in the area. There are also currently two existing homes, but only one will remain on site. Per City Council's recommendation, Staff sent mailed notice about this requested rezone to property owners within five-hundred feet of this property. Staff also received a letter from one of the neighbors expressing concern with this rezone.

Betty Parker asked if the planned lots sitting directly adjacent to Angel Street would take access

off of Angel Street.

Lyle Gibson commented that Lot 7, with the existing home, would continue to take access off of Angel Street, but those adjacent to the cul-de-sac will probably take access off the new road.

Chairperson Matthew Anderson opened the Public Hearing.

Paul Anderson said that he lives behind the proposed development and does not want to see two story homes built. The homes within his subdivision were restricted to one above ground level, and these homes should do the same so that they look similar to what is in the neighborhood.

Mark Barber said that he has lived in the area for many years. The home to be demolished is the one he grew up in. Mr. Barber said that he is not opposed to development but is concerned about water runoff on the property. There have previously been problems with flooding in the area when the current drainage system got cut off. These lots are lower in elevation than Angel Street itself and the water table is high in the area. Ivory Homes will need to not only look at water drainage, but see if the sewer will drain at its current depth. Mr. Barber said that he also does not want to see tall homes built. The home to be demolished is also historical and might not be able to be destroyed.

Matthew Anderson commented that some of these concerns will be better addressed when the subdivision plat is reviewed.

Marie Barber commented that they live just south of this development and asked if the proposed zone requires green space.

Matthew Anderson responded that the R-1-14 zone does not require common open space for the proposed development.

Kelle Pace said that he lives in the house to be demolished and requested that the proposed road be named after Helen Barber who used to live here. Also, if the owner decided to keep the home he would like to purchase it.

Aaron Johnson said that they live a couple houses down from here and just recently there was a property near here that was rezoned and split into two lots. When it went before the City Council, the Council was concerned about approving a higher density rezone because it might allow for more of them in the future. The Council also didn't want that development to be split up into more than the two lots. While the General Plan allows for higher density along main roads, where do you draw the line? The Hill Farms Subdivision was allowed to incorporate the R-1-14 zone into their project, but they also have a large amount of open space, which this development does not. This rezone might create more of a precedence for future developments in the area.

Paul Hansen said that he is the owner of the property and has been looking at different options for developing his property. He had first considered doing a flag lot development, but it was discouraged by the city because flag lot developments tend to be less desirable. The

infrastructure of the cul-de-sac is more costly, but it is a better layout. If the proposed cul-de-sac subdivision is denied he will come back to the city with a flag lot layout instead. At that point he will also have to develop the property himself and will let each homeowner build their homes with no height restrictions because he can't afford to develop the property on his own. Mr. Hansen said that they've had someone come look at the water runoff of the property to see if a drainage system would need to be installed, and what kind.

Chase Freebairn, representing Ivory Homes, said that they take an interest in the community and want to build something that will fit well into the area. Mr. Freebairn said that he had attempted to contact all of the adjacent property owners to discuss this project and the majority told him that they preferred the cul-de-sac design over having flag lots. The lots on the cul-de-sac would take access off of the new road. Even though the R-1-14 zone is a higher density than what is traditional in west Kaysville, this development would fit into the area. The homes would be limited to main level floor plans, so neighbors won't have to worry about two-story homes being built. They have also just had a geotechnical study done on the property and will have that information available at subdivision plat review.

There were no further comments or questions from the public. Chairperson Matthew Anderson closed the Public Hearing.

Stroh DeCaire asked approximately how large the homes would be.

Chase Freebairn said that the homes would look consistent to other homes in the area. They will probably be about 2,000 square feet on the main level of the homes, and will be rambler-style homes.

Gary Bullock asked if the R-1-20 zone had been considered instead of the R-1-14 zone.

Chase Freebairn said that they have found that in today's market buyers are looking for smaller lots because they don't want to have to take care of a large yard. The larger lots are harder to sell, so it was more of an economical decision to choose the R-1-14 zone. Mr. Freebairn added that if the existing home is considered historical then they would be willing to preserve it.

Gary Bullock asked when the homes on Preston Street were built.

Andy Thompson responded that the homes on Preston Street were built as part of Pheasantbrook North, which is a cluster subdivision. Even though the homes are in the R-A zone which has a minimum lot size of half an acre, smaller lots were allowed because of the amount of open space within the subdivision.

Paul Hansen added that they had looked into trying to move the historic home to a different location but because the brick is made out of adobe it would just crumble. Economically it didn't make sense to him to keep the home.

Gary Bullock said that because each proposal is looked at individually, approving a rezone request is not considered as setting precedence. The Commissioners make sure each request

conforms to the city ordinances and the area. Mr. Bullock commented that he would rather see this zoned R-1-20 than R-1-14 to better fit the current zoning in the area. If the city feels that there needs to be conditions placed on the development it could be put into a development agreement for approval.

Josh Sundloff said that because these lots are similar to what is in the area it won't drastically change the character of the neighborhood. This project is in accordance with the General Plan because this higher density will be located along a major street. Mr. Sundloff said he would have liked to see the preliminary plat presented to the Commission for approval tonight.

Stroh DeCaire said that he feels that the concerns that have been mentioned by residents seem to have been addressed by Ivory Homes. Mr. DeCaire said that he would have preferred there be six lots rather than the seven, however this subdivision seems to be well laid out and would fit into the aesthetics of the neighborhood.

Matthew Anderson commented that he would like to see a development agreement included restricting the height of the homes.

Gary Bullock said that a requirement for the development agreement restrictions should be contingent upon the approval of the rezone so that if the property were to be sold, the restriction would still be tied to the property.

Lorene Kamalu made a motion to recommend approval of the request to rezone 2.97 acres of property at approximately 65 South Angel Street from R-A (Residential Agriculture) to R-1-14 (Single Family Residential) for Ivory Homes with the condition that the homes be limited to single story. Betty Parker seconded the motion and it passed unanimously.

PUBLIC HEARING AND REQUEST TO REZONE 2.84 ACRES OF PROPERTY AT APPROXIMATELY 701 SOUTH MAIN STREET FROM R-1-8 (SINGLE FAMILY RESIDENTIAL) TO HC (HEALTH CARE) – DAVE WHITAKER

Lyle Gibson explained that Mr. Whitaker lives at 701 South Main Street and has submitted a request to rezone his property to the HC (Health Care) zoning district for the purpose of accommodating an assisted living center. The property fronts Main Street and is surrounded by the R-1-8 zoning district, with the exception of the PU zoning district across the street where the USU Botanical Center is located. The existing R-1-8 zone is primarily for 8,000 square foot single family residential lots. The HC district is restrictive in the type of uses allowed, and the regulations are designed to promote and encourage longer term health care facilities. There is a HC zone located across the street from this property where an assisted living center is located. In the concept drawing it also shows seven residential lots and a public street connecting 550 East to Whisper Creek Drive. However, those homes will not be included in this rezone request, but will remain in the R-1-8 zoning.

Chairperson Matthew Anderson opened the Public Hearing.

Allen Anderson said that he has lived on 650 South for many years and has been told by previous

Council Members that there would never be commercial along Main Street south of Davis High School. If this rezone is approved are we setting a precedence for the area? What will be allowed across the street at the USU Botanical Property if they decide to develop their property?

Dwight Bird said that he lives at the end of 550 East Street, directly adjacent to this property, and would like to see the property remain residential. There are other areas of the city that would better fit the health care use. This facility will sit in the middle of a residential area. How could the residents be assured that this business will remain here for years to come? Mr. Bird asked about how the property would be accessed. What kind of lighting will be used to light the parking lot? It needs to not spill over into the surrounding neighborhood. On the concept drawings there is an employee parking lot shown directly next to his property, which could be an invasion of their privacy, especially with the increased amount of traffic right by his backyard. The facility will also bring more noise to the area both during the day and at night as employees change shifts. How will snow removal be accommodated so as to not push the snow into the neighbor's property? How will the grading be affected? If the property is built up at all it will cause water to run off into the adjacent residential properties.

Don Woodbury said that he lives on Cherrywood Road and in his profession he is able to visit many assisted living facilities. There is a variety of architectural designs, with some looking more industrial, and others more modern. Mr. Woodbury said that he would like to see something attractive and something that would match what is around the area.

Sarah Redd said that her family recently moved back to Kaysville from Kansas and while it's sad to see open areas disappear she understands that development happens. They just built a home to the east of this property with the understanding that this area would be residential. They were attracted to the beauty of this area and residential feel of the neighborhood.

Robin Tolman said that she lives on 650 South and commented that people need to remember that the Whitaker's have the right to try to develop their property how they want. This plan will probably be the least impacting to the neighbors. The concept plans that have been presented tonight are not final yet and can be changed. This is a good option for the property, and is better than building twenty homes that are allowed in the current zone. Mrs. Tolman said that she has seen the buildings that Mr. Whitaker has built and knows that he will build a building that will add to the neighborhood and be aesthetically pleasing.

Jared Olson said that he also lives on 650 South and is okay with the requested rezone, but is concerned about the potential traffic this could cause. Also, if for some reason the assisted living center isn't successful, could this become a medical center, rehab center or mental health facility? Mr. Olson said that he is okay with this being an assisted living center but is concerned with the use changing.

Matthew Redd stated that he recently built a home just south of this property and is frustrated with the timing of this request. They just closed on their home and was always under the impression and told this was a residential area. If this plan had been in the works then it should have been disclosed to those building adjacent to this property. There should have been more transparency between the buyers of the property and Symphony Homes, who sold them their

homes, if they had known about this project.

Greg Hill said that he also lives in the area and had come tonight very opposed to this requested rezone. Mr. Hill said that he and his neighbors feel that they bought their homes under the premise that there would not be any through streets connecting Whisper Creek Drive to 550 East, and that the area would remain residential. He has some concerns about this proposed development and would rather see it developed into residential homes. Mr. Hill said that he had spoken with Mr. Whitaker and feels that he would build a good facility. Mr. Whitaker had mentioned to him that he felt confident he would be able to receive permission from UDOT to allow access onto Main Street. Mr. Hill said that he would like to see that both 550 East and Whisper Creek Drive be turned into cul-de-sac streets.

Lisa Purdie said that she lives just to the east of Mr. Whitaker's property and also feels that those who moved into the Whispercreek Subdivision were misguided by their developer. They moved into the area because of the residential feel of the neighborhood. If an assisted living facility is built, they don't want to see a through street is built. It will change the feel and dynamics of the neighborhood because it would bring a significant amount of increased traffic.

Aaron Hixson said that he sold his home on Flint Street a couple of months ago and is building another home here. These types of assisted living facilities are needed and can blend into the community. Mr. Hixson said he likes to see things change and the city progress, including adding mixed use communities like this. Mr. Hixson said that he supports this rezone as long as the look of it fits into the surrounding community. It needs to look less like a commercial building and more like a home.

Mark Rushton stated that he lives on 650 South and has lived there most of his life. He has watched the character of Kaysville change dramatically. This facility will change the character of the neighborhood. While Mr. Whitaker has the right to develop his property, and if this is what Mr. Whitaker feels is best then he will support him. However, there are some big concerns about having the facility's parking lot right against the residential properties. It will affect the quality of life of the residents and will infringe upon their privacy. Large commercial trucks should not be able to access that parking lot. There will be large trucks coming at all hours of the day and night bringing supplies and emptying garbage bins. That will need to be mitigated so as to not be a nuisance to the neighbors.

Scott Hansen said that he owns The Villas at Baer Creek, the assisted living center across the street, and when he went through this same process he received similar comments and concerns from neighbors about the use. However, now that they have been there for a while the neighbors have seen that it has been good for the community and not as impacting as they had once thought. Our community is aging and people want to stay within the community. There is a demand for these facilities. These types of businesses are not the most profitable, and they costs a lot to enhance the building. But the building also needs to look aesthetically pleasing and needs to fit into the look of the neighborhood. Mr. Hansen said that as part of their approval, they were required to put their outside lights on a timer. Whatever requirements were placed on them should also be required of Mr. Whitaker's development.

Dino Pasqua said he is also a new resident to the Whispercreek Subdivision and moved here because it was a dead end street and area is zoned for residential uses. Mr. Pasqua said that when he first heard about this requested rezone he was very against it, however the more he's learned about the development he's not as against the idea. The city should decide what the best use of the property is, but he would not like to see a through street approved. A through street would bring an increased amount of traffic. Also, could the land owned by USU across the street become commercial?

Jen Beard said that she lives just west of the Birds' and she is also concerned with the amount of traffic this could bring and asked if UDOT had been contacted yet. Also, has a traffic study been done? The parking lot shown on the northern edge of the property is partially behind her yard and is also concerned how this will impact their property. Mrs. Beard said that she would feel better if this property were developed as residential, but if it were, would those homes be able to take access off of Main Street? If the assisted living center is built, it should only take access off of Main Street and not 550 East. Also, this should only be approved with the stipulation that the building remains an assisted living center.

Todd Johnson said that he works for Symphony Homes as a Sales and Marketing Director, but is also building his home in the Whispercreek Subdivision. He has some concerns about setting precedence by approving this. There needs to be proper buffering in place between the health care use and the residential uses. Mr. Johnson said that he doesn't feel that this requested rezone could be granted without some assurance that traffic impact would be mitigated. People have invested here and it would be a great disservice to those who have by approving this rezone without the concerns being better addressed.

Stroh DeCaire commented that although there have been many questions asked tonight about traffic flow, the only thing being considered tonight is the requested rezone and if it is appropriate for this property.

Dave Whitaker said that he has lived here many years and at one time there was only three homes between his house and Davis High School, so he knows how people feel when they say they feel they are being intruded upon. He has looked at many options for his property from apartment buildings to a church, all of which would create more traffic on adjacent roads. This assisted living center will be the least impacting of all the options. The company that will run the facility have eleven other facilities and they have been in business for a long time. They are able to keep their facilities full. Mr. Whitaker said that he is working with UDOT to get access onto Main Street. Right now UDOT is agreeing to a gated access to the property from Main Street, but only if an assisted living facility is built. They will not allow access onto Main Street if it remains residential. The building will only be one story, and will have a rock and hardie board exterior. The floor plan they use has been used with other facilities and has worked well. Mr. Whitaker said that he is sorry that his neighbors feel that they have been misguided. When the Whispercreek Subdivision was approved he knew that he wouldn't be able to farm his property anymore and wanted to move somewhere else where it would be less busy. This will be a beautiful facility and well planned. Mr. Whitaker said he would be willing to work with the city to see what would be allowed in regards to the planned road. He was under the impression that it was required by the city to install the connection street.

Jared Olson asked that there be a requirement to restrict the use to only an assisted living facility.

There were no further comments or questions from the public. Chairperson Matthew Anderson closed the Public Hearing.

Matthew Anderson asked about the necessity of the connector street.

Andy Thompson responded that many years ago when 650 South was built, it was stubbed with the anticipation of it eventually connecting to a through street because 650 South was too long to meet the standards of a cul-de-sac street. This same discussion occurred when the Whisper Creek Road was proposed. It was discussed that Whisper Creek Road would be allowed with the stipulation that a connection road be built to connect to 550 East when Mr. Whitaker's property was developed. The city can try to find a different option, however both 650 South and Whisper Creek Road are too long to meet cul-de-sac standards for a single access facility. Both were allowed because they were considered temporary situations.

Josh Sundloff said that although we've heard comments that show those living here do not want a connection road, if both 650 South and Whisper Creek Road were ended with a permanent cul-de-sac it would be illegal. Both roads must connect to meet city ordinance. These types of situations are not uncommon, and can be found throughout the city. Stub roads will remain as a temporary situation in anticipation of a connector road eventually being created.

Andy Thompson added that the city can't require a property owner to develop their property just because their neighbor does. But we can require that eventually a road be created to accommodate traffic through the area.

Josh Sundloff stated that he understands the concerns of the neighbors, but no matter if this was developed for an assisted living facility or for residential a through connection would need to be made. If this property were to remain in its current zone, there could potentially be nineteen homes built here. Those homes would probably create more traffic than an assisted living facility would.

Lorene Kamalu added that the general traffic rule is each household creates an average of ten trips per day.

Andy Thompson said that we don't have enough of these facilities in town to know exactly what kind of traffic count would be created. However, they typically do not create a lot of traffic as the residents do not own cars or drive anymore. The only traffic created would be by employees and visitors.

Matthew Anderson asked if it would be required to have an access point to 550 East.

Andy Thompson responded that it is not required. The concept drawing can be changed so that there isn't a parking lot on the back.

Matthew Anderson commented that when Whispercreek Subdivision was first being reviewed, the comments made by residents in those meetings spoke in favor of having this through street in place.

Dave Whitaker said that access to the property will be addressed on the subdivision plat. If they are able to get approval for public access onto Main Street from UDOT then they won't need to take access from 550 East. They don't want to create a thoroughfare.

Gary Bullock commented that when Whispercreek Subdivision was being developed the developers had said that they'd approached UDOT about getting access onto Main Street and were told the same thing about not allowing it for the residential development. There were also comments made during those meetings by the neighbors who felt that the Whitakers would not develop their property anytime soon and were worried that a thoroughfare for this area would not be created for many years. It seems the city had no knowledge of Mr. Whitaker's plans to develop until now. Those who purchased homes in the Whispercreek Subdivision seem to be a victim of circumstance. If Symphony Homes knew that eventually a road would be created on Whitaker's property, as planned, they should have disclosed that to buyers. Mr. Bullock commented that when Scott Hansen had come before the city with a proposal to build his assisted living center, he was against it because he felt that it didn't fit into the General Plan because of the residential setting. He had felt that there were better spots for that type of use. There were conditions placed upon their approval so it would better fit into the area. Mr. Bullock said that Mr. Hansen's facility has become an asset to the community. He used to live near the facility and did not see an increase in the amount of traffic. Mr. Whitaker's facility is being proposed with sixty beds, which is much larger than Mr. Hansen's.

Mark Rushton commented that if a through street has to be created then the city should put barricades on it to deter traffic from using the road.

Andy Thompson said that tonight the Commission is considering a rezone request. The Commission needs to decide if the HC zone is a reasonable use of the property. City ordinance states that the city needs to provide reasonable accommodations for persons with disabilities to have an equal opportunity to use and enjoy dwellings. The rezone to the Health Care district requires that a development agreement is approved with the rezone. That development agreement can address concerns regarding access, aesthetics, lighting, and any other concerns mentioned tonight. There has been no official site plan created yet.

Lyle Gibson said that once a development agreement is drafted it could come back to the Planning Commission to review to assure that their concerns have been addressed and mitigated.

Josh Sundloff commented that the City Council will make the legislative decision regarding this rezone. There is potential in this situation beneficial to both Mr. Whitaker and the neighbors, but both should have to give and take. This is an opportunity to mitigate concerns while still allowing something that is needed and will add to the community. Because this would be adjacent to one of the busiest roads in Kaysville there needs to be careful consideration on the site plan and aesthetics of the property. Mr. Sundloff asked if an assisted living facility is considered as commercial.

Andy Thompson commented that it is considered as a residential care facility.

Dave Whitaker commented that some cities require that a conditional use permit be obtained for residential care facilities.

Andy Thompson responded that by requiring that the property be rezoned to the Health Care district it gives the city better control over how exactly the property is developed.

Dwight Bird said he would like to see some assurance that there will be public access onto Main Street before a rezone is approved.

Stroh DeCaire made a motion to recommend approval of the request to rezone 2.84 acres of property at approximately 701 South Main Street from R-1-8 (Single Family Residential) to HC (Health Care) for Dave Whitaker subject to site plan approval and a development agreement that addresses the concerns mentioned tonight. Betty Parker seconded the motion and it passed unanimously.

PUBLIC HEARING AND PRELIMINARY AND FINAL PLAT APPROVAL FOR HILL FARMS SUBDIVISION PHASE 2C AMENDED AT 2002 WEST PHILLIPS STREET AND 554 NORTH HILL FARMS LANE – DESTINATION HOMES

Andy Thompson explained that the property owners of Lots 248 and 317 in the Hill Farms Subdivision would like to adjust the common property line which would make Lot 317 at 0.27 acres, and Lot 248 at 1.08 acres in size. There will be no new lots created by this adjustment. The land exchanged is in the rear of each of the lots and does not affect the frontage of either property.

Chairperson Matthew Anderson opened the Public Hearing.

There were no comments or questions from the public. Chairperson Matthew Anderson closed the Public Hearing.

Josh Sundloff made a motion to recommend preliminary and final plat approval for Hill Farms Subdivision Phase 2C Amended at 2002 West Phillips Street and 554 North Hill Farms Lane for Destination Homes. Gary Bullock seconded the motion and it passed unanimously.

FINAL PLAT APPROVAL FOR PARKWOOD PHASE 3 SUBDIVISION AT APPROXIMATELY 35 WEST SHEPARD LANE – HENRY WALKER HOMES

Andy Thompson explained that the preliminary plat for this project has already been approved with the first phase developed and several homes under construction. Phase 2 is currently being improved and many lots already sold. The developer is looking to have the approval of Phase 3 in place in order to move forward with improvements as soon as Phase 2 is complete. Phase 3 is in the northwest area of the Parkwood development and is the last phase of the subdivision to be completed. Phase 3 consists of seventeen lots and the number of lots and layout are consistent

with the approved preliminary plat and the zoning district. Parcel A, as shown on the proposed plat, will be dedicated to the Central Davis Sewer District to accommodate an existing utility line. The city doesn't typically allow remnant pieces, however the city feels it appropriate so that the CDSB could gain access to their utility line easily should there be a problem.

Stroh DeCaire made a motion to recommend final plat approval for Parkwood Phase 3 Subdivision at approximately 35 West Shepard Lane for Henry Walker Home. Gary Bullock seconded the motion and it passed unanimously.

Josh Sundloff asked about the easement that runs to the south of this subdivision.

Andy Thompson responded that it was left open because there was a potential that this area would be used for the West Davis Corridor. Recently it was decided that this easement will not be used for the Corridor but the city will likely use it as a city street.

ELECTION OF CHAIRPERSON AND VICE-CHAIRPERSON

Matthew Anderson opened the floor for nominations for Planning Commission Chairperson and Vice-Chairperson.

Matthew Anderson nominated Betty Parker as Chairperson. Stroh DeCaire seconded the nomination. No other nominations were made. Betty Parker was approved as Planning Commission Chairperson by unanimous vote.

Matthew Anderson nominated Stroh DeCaire as Vice-Chairperson. Gary Bullock seconded the nomination. No other nominations were made. Stroh DeCaire was approved as Planning Commission Vice-Chairperson by unanimous vote.

CALL TO THE PUBLIC

Nothing was brought under this item.

REPORTS

Lorene Kamalu asked about the maintenance roadwork being done on 200 North Street and if the road could be striped to include a bike lane.

Andy Thompson responded that as part of the maintenance project the city is considering the best design to restripe the road. However, there is not enough room to accommodate a separate bike lane but rather a shared road system.

CALENDAR

The next regularly scheduled meeting will be held on Thursday, July 27, 2017 at 7:00 p.m.

ADJOURNMENT

Matthew Anderson made a motion to adjourn. The motion passed unanimously and the meeting adjourned at 9:36 p.m.

27 July 2017 Agenda

KAYSVILLE CITY PLANNING COMMISSION NOTICE AND AGENDA

Notice is hereby given that the Kaysville City Planning Commission will hold their regular meeting on Thursday, July 27, 2017 at 7:00 p.m. in the Municipal Center.

The agenda shall be as follows:

1. Opening and approval of minutes from the meeting of July 13, 2017.
2. Conditional use permit for a major home occupation “B”, preschool at 1007 East Manchester Road – Tara Zaugg.
3. Conditional use permit for farm animals at 601 East 250 North – Timothy Thomas.
4. Conditional use permit for farm animals at 2008 West Bonneville Lane – Milissa Ramirez.
5. Discussion of potential process changes regarding Farm Animals, Major Home Occupations, Lot Line Adjustments, Lot Consolidations, and Subdivisions.
6. Call to the public.
7. Other matters that properly come before the Planning Commission:
 - a. Reports.
 - b. Correspondence.
 - c. Calendar.
8. Adjournment.

I hereby certify that I posted a copy of the foregoing Notice and Agenda at the Kaysville Municipal Center and mailed copies to the media representatives on Friday, July 21, 2017.

Lyle Gibson, Zoning Administrator